



# UNITED STATES PATENT AND TRADEMARK OFFICE

Ant

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,467	04/24/2001	Sung Lyong Lee	Q62056	1924

7590 01/13/2005  
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, DC 20037-3213

EXAMINER

ALPHONSE, FRITZ

ART UNIT PAPER NUMBER

2133

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/840,467

Applicant(s)

LEE, SUNG LYONG

Examiner

Fritz Alphonse

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Yuen (U.S. Pat. No. 6,477,705).

As to claim 2, Yuen (Figs. 1-6, 15) shows the following claimed subject matter:

- a) an OSD display apparatus (figs. 2, 6), comprising an OSD source remote controller for generating an OSD cursor display command on a screen (this is met by remote controller (27; fig. 2), which controls on-screen cursor display command (48; fig. 3) of display area 46);
- b) an OSD source for transmitting a plurality of OSD multi cursor display data by giving each OSD multi cursor display data a peculiar ID and transmitting a selected OSD multi cursor ID and display location information in the case that there is an OSD multi cursor display command from said OSD source remote controller (note in figure 3, Yuen discloses a multi cursor display data "Fox to KWHY", wherein an ID number is assigned to each cursor display data). See column 4, lines 55 through column 5 line 41);
- c) a display apparatus for storing the plurality of OSD multi cursor display data received from said OSD source in a memory and reading an OSD multi cursor display data having

Art Unit: 2133

a corresponding ID from said memory (note in figure 1, the program schedule memory 22 for storing multi cursor display data received from the OSD; col. 4, lines 55-62).

As to claim 1, method claim 1 corresponds to apparatus claim 2. Therefore, it is analyzed as previously discussed in claim 2 above.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen in view of Morrison (U.S. Pat. No. 6,591,292).

As to claim 3, Yuen does not explicitly disclose an MPEG source for supplying an MPEG transport stream to the display apparatus.

However, in the same field of endeavor, Morrison (figs. 1, 2) discloses an OSD image display apparatus, wherein the OSD source comprises: an MPEG source for supplying an MPEG transport stream to the display apparatus (which is met by the transport decoder 55, fig. 2); an OSD generator for generating OSD display data in bitmap format (note the generator 115, fig. 2); a register for storing data (is met by Smart Card 130, fig. 2); and a controller for controlling the MPEG source, the OSD generator, and the register, is met by system controller 115.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Yuen with programming information device as disclosed by Morrison. Doing so would provide a convenient way

Art Unit: 2133

of electronically linking program information with the contents of an electronic message when the electronic message is sent and received (col. 3, lines 9-13).

As to claims 4, 7, Yuen (Fig. 1) shows an OSD image display apparatus, wherein the OSD source further comprises: a command input part (i.e., viewer input device 28) for receiving a command signal from the OSD source remote controller and providing the command signal to the controller (col. 5, lines 7-11).

As to claim 5, Yuen does not explicitly disclose an MPEG decoder for decoding an MPEG transport stream. However, Morrison (fig. 2) show an OSD image display apparatus, wherein the display apparatus comprises: an MPEG decoder for decoding an MPEG transport stream and outputting image data (this is met by the Transport Decoder 55); a buffer (note the Packet Buffer 60) for buffering OSD data; an overlapper for overlapping the image data and the OSD data and providing overlapped data to the screen (is met by Application Interface 70, fig. 2); and a controller (29) for controlling the MPEG decoder, the buffer, the overlapper, the memory, and the screen, is met by system controller 115 (see figure 2).

As to claim 6, Yuen (fig. 2) show an OSD image display apparatus, wherein the OSD image display apparatus further comprises: a display apparatus remote controller 27).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

Art Unit: 2133

**or faxed to:** (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (571) 272-3813. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (571) 272-3819.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Fritz Alphonse

Art Unit 2133

January 4, 2005

  
Guy J. Lamarre  
Primary Examiner